

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JANE DOE, JOHN DOE, and H.S., by
and through his guardian, individually
and on behalf of all others similarly
situated,

Plaintiffs,

v.

BHC FAIRFAX HOSPITAL, INC.
d/b/a FAIRFAX BEHAVIORAL
HEALTH,

Defendant.

C19-635 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) Plaintiffs' motion, docket no. 41, for leave to amend is GRANTED, and plaintiffs shall electronically file their Second Amended Complaint within seven (7) days of the date of this Minute Order, provided that, in advance of such filing, plaintiffs revise their Second Amended Complaint to make clear that only Jane Doe 1, John Doe 1, and H.S. assert claims on behalf of a putative class. For example, the preamble should be revised to read: "All plaintiffs bring this action individually, and plaintiffs Jane Doe 1, John Doe 1, and H.S. bring a class action on behalf of all persons who were admitted to BHC Fairfax Hospital, Inc. d/b/a Fairfax Behavioral Health ("Fairfax") between April 30, 2016, and the date of class certification." Similar changes should be made throughout the pleading, and particularly in Section V (Paragraphs 125-131) concerning the class allegations. Defendant's responsive pleading or motion shall be due within twenty-one (21) days after the Second Amended Complaint is filed.

1 (2) Plaintiffs' motion, docket no. 56, to partially extend the expert disclosure
2 deadline is GRANTED, and the deadline for disclosure of damages expert testimony is
3 EXTENDED to August 14, 2020. Any rebuttal expert evidence shall be due as set forth
4 in Federal Rule of Civil Procedure 26(a)(2)(D)(ii).

5 (3) Defendant's response, docket no. 58, is treated as a cross-motion to extend
6 additional deadlines, as to which plaintiffs have already replied, and is DEFERRED
7 pending the Court's ruling on the parties' cross-motions concerning class certification.

8 (4) In connection with the cross-motions concerning class certification, the
9 Court will consider the proposed class definition set forth in plaintiffs' Second Amended
10 Complaint. This proposed class definition has been addressed in the parties' briefing,
11 and the parties shall not submit any further materials regarding class certification unless
12 requested by the Court.

13 (5) The Clerk is directed to send a copy of this Minute Order to all counsel of
14 record.

15 Dated this 1st day of July, 2020.

16 William M. McCool
17 Clerk

18 s/Karen Dews
19 Deputy Clerk